

GERSON LAW FIRM APC  
 GORDON L. GERSON (#70942)  
 MARK CLAIRMONT (#211128)  
 9255 Towne Centre Drive, Suite 300  
 San Diego, California 92121  
 (858) 452-5400

Attorney for Deutsche Bank National Trust Company,  
 as Indenture Trustee for IMPAC CMB Trust Series 2004-5

**FILED**  
 JUN - 7 2010  
 BANKRUPTCY COURT  
 OAKLAND, CALIFORNIA

UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

In re

Mark Kesel,

Debtor.

CASE NO. 10-41653

REQUEST FOR SPECIAL NOTICE AND  
 INCLUSION IN LIST OF CREDITORS AND  
 INTERESTED PARTIES

**FILE BY FAX**

TO THE CLERK OF THE UNITED STATES BANKRUPTCY COURT, NORTHERN  
 DISTRICT OF CALIFORNIA, OAKLAND DIVISION AND SARA L. KISTLER, U.S.  
 TRUSTEE, THE DEBTOR AND HIS ATTORNEYS OF RECORD AND ALL PARTIES IN  
 INTEREST:

PLEASE TAKE NOTICE, Cohen Financial Servicing LLC, Trustee (referred to as the  
 "Party") hereby requests all notice of all events relevant to the above-referenced bankruptcy and  
 copies of all pleadings and documents filed in relation to the above-referenced bankruptcy,  
 including all pleadings or notices under Fed. R. Bankr. P. 2002, be served on Party's attorney as  
 follows:

GERSON LAW FIRM APC  
 GORDON L. GERSON (#70942)  
 MARK CLAIRMONT (#211128)  
 9255 Towne Centre Drive, Suite 300  
 San Diego, California 92121

In addition, the Party requests that Party's attorney be added to the Master Mailing List in  
 this case.

ORIGINAL

Neither this Request for Notice nor any subsequent appearance, pleading, claim, proof of claim, document, suit, motion nor any other writing or conduct, shall constitute a waiver of the within Party's:

(a) Rights to have any and all final orders in any and all non-core matters entered only after *de novo* review by a United States District Court Judge;

(b) Rights to trial by jury in any proceeding as to any and all matters so triable herein, whether or not the same be designated legal or private rights, or in any case, controversy or proceeding related hereto, notwithstanding the designation *vel non* of such matters as "core proceedings" pursuant to 28 U.S.C. § 157(b)(2)(H), and whether such jury trial right is pursuant to statute or the United States Constitution;

(c) Rights to have the reference of this matter withdrawn by the United States District Court in any matter or proceeding subject to mandatory or discretionary withdrawal; and

(d) Other rights, claims, actions, defenses, setoffs, recoupments or other matters to which Party is entitled under any agreements or at law or in equity or under the United States Constitution.

All of the above rights are expressly reserved and preserved unto Party without exception and with no purpose of confessing or conceding jurisdiction in any way by this filing or by any other participation in these matters.

Dated: June 4, 2010

GERSON LAW FIRM APC

By:

GORDON L. GERSON,  
Attorney for Deutsche Bank National  
Trust Company, as Indenture Trustee for  
IMPAC CMB Trust Series 2004-5

### PROOF OF SERVICE BY MAIL

I, the undersigned, certify and declare I am a citizen of the United States, over the age of 18 years and not a party to the within action. On **June 4, 2010**, I served the following document(s):

REQUEST FOR SPECIAL NOTICE AND INCLUSION IN LIST OF CREDITORS AND INTERESTED PARTIES

on the addressee(s) listed below by placing a true copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, in the United States mail at San Diego, California, addressed as follows:

Judith Whitman, Esq.  
Diemer, Whitman and Cardosi  
75 E. Santa Clara St., Suite 290  
San Jose, CA 95113

U.S. Trustee  
Sara L. Kistler  
Regional Office  
235 Pine Street, Suite 700  
San Francisco, CA 94104-3401

Midland Loan Services, Inc.  
P.O. Box 25965  
Overland Park, KS 66225-5965

I hereby certify I am employed by a member of the bar of this court. Executed June 4, 2010, at San Diego, California.

Marilyn A. Sullenger